

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Morgan Stanley Data Security Litigation

20 Civ. 5914 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On August 5, 2022, in a lengthy bench decision, the Court approved (1) the proposed class action settlement; and (2) attorneys’ fees, costs, and service awards. *See* Dkts. 156–58. At that hearing, the Court denied class member Melissa Linden’s motion for joinder, Dkt. 123, and motion to stay, Dkt. 130, recognizing that the motions “appear to be premised on her assertion that the settlement does not provide adequate relief and concern with her future ability to bring claims against Morgan Stanley for issues relating to her deceased father’s account.” Dkt. 160 at 5. The Court noted that, to the extent that Linden believed she had claims against Morgan Stanley based on issues related to her father’s account, her recourse would have been to opt out of the class action. *Id.* at 5–6. Because Linden had not opted out of the class action, the Court respectfully denied her motions. *Id.* at 6. Separately, the Court noted Linden’s objections to the settlement, *see* Dkt. 122, and at the hearing directed questions to plaintiffs’ counsel about those objections. Dkt. 160 at 75–77.

This order addresses three pending motions by Linden: (1) a letter-motion to vacate the final judgment in this action, *see* Dkt. 192; (2) her objection to the deadline to request redactions to the transcript of the August 5, 2022 hearing, *see* Dkt. 193; and (3) a letter-motion to impose sanctions for alleged misconduct by counsel for defendant Morgan Stanley Smith Barney LLC

(“Morgan Stanley”), *see* Dkt. 194. The Court commissioned responses from plaintiffs, as to the motion to vacate, and from defendant’s counsel, as to the motion for sanctions. *See* Dkt. 195.¹

For the following reasons, the Court denies the relief sought.

First, Linden moves to vacate the final judgment under Federal Rule of Civil Procedure 60(b)(1), claiming that she was “erroneous[ly]” labeled as a “non-party” and “non-party joiner” on the docket. *See* Dkt. 192. She seeks relief including damages and the production of certain records. *See id.* Plaintiffs oppose her motion, noting that she was properly classified as a non-party because she was not a named plaintiff and that her motions were duly considered by the Court. *See* Dkt. 198. Plaintiffs are correct. Rule 60(b) allows a court to “relieve a party or its legal representative from a final judgment” based on, *inter alia*, “mistake, inadvertence, surprise, or excusable neglect.” Fed. R. Civ. P. 60(b)(1). Linden has not made any such showing here. She has failed to demonstrate that her classification on the docket and the Court’s rulings as to her motions were erroneous, let alone that any error justifies relief under Rule 60(b). Her allegations appear to relate to matters beyond the scope of this class action. The Court denies her motion.

Second, Linden “object[s] to the termination of transcript deadline . . . and ask[s] for the transcript to be made available immediately,” asserting that “the people should be given access to the record of the Fairness hearing.” *See* Dkt. 193. This request appears to derive from the Court’s statement at the August 5, 2022 hearing that it would not issue a written decision, but instead would resolve the motions for settlement approval, and for fees and costs, in a bench

¹ In a November 25, 2022 letter addressed to the Court, Linden took issue with various aspects of the Court’s order directing responses to her motions. *See* Dkt. 197. Her letter, although challenging to comprehend, appears to argue that, *inter alia*, the Court improperly characterized her as “disgruntle[d] about settlement monies.” *See id.* (attaching various filings). The Court does not find any allegations in the letter meritorious and denies the relief sought therein.

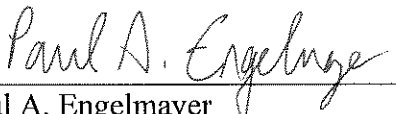
ruling. The Court added that, “if the content of what I say is important to you, you will need to order the transcript of this conference.” Dkt. 160 at 98. Under the August 18, 2022 notice of the filing of the official transcript of the fairness hearing, the parties had seven days to file any notice of intent to request redaction of the transcript; absent such notice, the transcript would become remotely electronically available to the public without redaction after 90 days. *See* Dkt. 161. Linden does not explain any deficiency in this process, or why she objects to the docket entry she references.² The Court declines to take any action with respect to this objection.

Third, Linden seeks sanctions against counsel for Morgan Stanley based largely on a November 11, 2022 email to her from its outside counsel. The email, which responds to an email from Linden, stated that the counsel’s law firm does not represent Linden or Morgan Stanley in connection with the issues she had raised and that the firm would not respond to further correspondence from her. *See* Dkt. 194. Morgan Stanley opposes her motion. It defends counsel’s email to Linden as accurate and appropriate, *see* Dkt. 199, and attaches a fuller set of emails between Linden and various counsel assigned to this matter, *see* Dkt. 200. Upon review, the Court does not find any impropriety or basis for sanctions. Counsel’s responses to Linden’s inquiries, including the email that she challenges, were appropriate. As counsel explained, Linden’s requests related to matters outside the scope of this litigation and/or were subject to direct rulings by this Court. The Court denies Linden’s motion for sanctions.

² To the extent Linden may mean to contend that the Court set a deadline for seeking a copy of the transcript of the hearing, the Court did not set any such deadline.

Plaintiffs' counsel shall furnish a copy of this order to Linden forthwith and file proof of service on the docket within one week of this order. The Court respectfully directs the Clerk of Court to terminate all pending motions.³ The case remains closed.

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: August 8, 2023
New York, New York

³ The Court attaches to this order various unsolicited letters sent by Linden after plaintiffs and defendant's counsel filed their respective responses. Whether construed as replies or independent motions, these letters appear to reprise arguments raised herein by Linden. The letters do not make any of Linden's claims meritorious.

Via Pro Se Email Portal

Judge Paul A. Engelmayer

United States District Court Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

In re Morgan Stanley Data Security Litigation Case No. 1:20-cv-05914-PAE

Re: Letter Motion to Compel Proof of Morgan Stanley June 2020 Notice and March 2022 Notice, All Notice of Hearings and Notice of Orders, on all Melissa A Linden filing before the court be placed on the public docket, attached brief in support of and request for oral argument to be granted.

12-02-2022

Dear Judge Paul A. Engelmayer,

Scriber, melissa linden, respectfully submits this correspondence in order to expedite the truth, and asks the court to participate in rendering the truth to its public docket. Hence why, scribes, ask the court to grant this letter motion for proof thereof, described in the Specific Facts Relied Upon section, for the following reasons:

Memorandum of Law

Specific Facts Relied Upon

Plaintiffs' Attorney asserted under penalty of perjury "The Court also considered Ms. Linden's motion for joinder (ECF No. 123) and motion for stay (ECF No. 130) and denied both motions. See ECF No. 160 at 5-6; :', Scriber doesn't no agree with this statement and ask for tangible proof thereof in the format described bellow

1. Proof of Morgan Stanley June 2020 Notice, March 2022 Notice be place to the docket by Plaintiff,
2. All Notices of Hearing that were issued in connection with melissa linden appearance, request for filing electronically, dkt123, dkt 130 ect placed to the docket.
3. All Notices of Orders on all issued in connection with melissa linden appearance, request filing electronically, dkt123, dkt 130 place to the docket.
4. Plaintiff Attorney continues to establish Melissa Lindens filings are confusing and hookwkin, these filings as if they are ignorant. This is notice to all parties, I am pro se filler and am happy to provide verbal disclosure to any matters that arises out of my filings. I am a phone call away, so if your confused, i believe a this more constructive form of communication and remedy for your confusion.

Complaining to a judge on a public docket seemly is a waste of time and appears to me, a regular person, to be exhibiting snitty behavior for an Attorney.

Legal Argument

As plaintiffs' attorney have asserted under penalty of perjury "The Court also considered Ms. Linden's motion for joinder (ECF No. 123) and motion for stay (ECF No. 130) and denied both motions. See ECF No. 160 at 5-6;

The docket reflects this statement, by the plaintiff, to appear as if it is not the truth and is why Scriber is asking for the court to relive her and remedy this matter. In the action of grant an order to compel the Plaintiff to place tangible proof to the docket of their assertion of, "The Court also considered Ms. Linden's motion for joinder (ECF No. 123) and motion for stay (ECF No. 130) and denied both motions. See ECF No. 160 at 5-6; "

Noting, to the court, the above matter, is the reason for this request, for an order to compel. Noting scriber, believes this submission meets the Criteria to grant her request. As the court can be provided proof of scribers assertion in their own records. Scribes believes the courts records will evidence the plaintiff's argument and statements, to be bald on their face. In addition to pointing out, to the court, the court itself, doesn't have subject matter jurisdiction to grant or extend an argument to the plaintiff that doesn't exit.

Concluding, the Plaintiff **can't** say Melissa Linden filings were consider, when the case records appears, she has never been notified of this, or in even in front of this court. Seemingly this type of argument and defenses appears unlawful. Which is why the scriber is asking the court for remedy of this matter by making plaintiffs provide proof of their assertions.

Wherefore, scribers, asks the court for immediately relief and remedy of the matter by granting scribers request for an order to Compel Proof, in the form of, Morgan Stanley June 2020 Notice and March 2022 Notice, All Notice of Hearing and Notice of Orders, on all Melisssa A Linden filing before the court to be placed to the public docket, and request for oral argument to be granted, in addition to any cost and expenses associated with the filing and what the court sees fair and just

Respectfully Submitted




Melissa Linden

Order for Letter Motion to Compel Proof Notice of, Proof of Morgan Stanley June 2020 Notice, March 2022 Notice, All Notice of Hearings and Notice of Orders, on all Melisssa A Linden filing before the court, brief in support of and request for oral argument.

Entered in support of, on 12/2/2022 and
Is so ordered _____

Pursuant to the terms required by Law. The below parties have been served this matter on 12-2-2022.

Respectively



Melissa linden

<p>John A. Yanchunis Morgan & Morgan, P.A. 201 N. Franklin Street 7th Floor Tampa, FL 33602 (813)-275-5272 (813) 222-4736 (fax) jyanchunis@forthepeople.com Assigned: 08/18/2020 LEAD ATTORNEY</p>	<p>Jonathan M. Sedgh Morgan and Morgan 850 3rd Avenue Ste 402 Brooklyn, NY 11232 212-738-6839 jsedgh@forthepeople.com Assigned: 09/30/2021 ATTORNEY TO BE NOTICED</p>	<p>Linda P. Nussbaum Nussbaum Law Group, P.C. 1211 Avenue of the Americas New York, NY 10036 917-438-9102 lnussbaum@nussbaumpc.com Assigned: 11/04/2020 ATTORNEY TO BE NOTICED</p>	<p>Heather H Jones The Consumer Protection Firm Florida 401 E. Jackson Street SunTrust Financial Center Ste 2340 Tampa, FL 33602 813-500-1500 813-435-2369 (fax) heather@theconsumerprotectionfirm.com Assigned: 08/31/2020</p>
<p>Leslie Guillon Arnold Law Firm 865 Howe Avenue Sacramento Sacramento, CA 95825 916-239-4787 916-924-1829 (fax) lguillon@justice4you.com Assigned: 08/20/2020</p>	<p>Michael Anderson Berry Arnold Law Firm 865 Howe Avenue Sacramento, CA 95825 916-777-7777 aberry@justice4you.com Assigned: 08/20/2020 LEAD ATTORNEY</p>	<p>James E. Cecchi Carella, Byrne, Cechi, Olstein, Brody & Agnello, P.C. 5 Becker Farm Road Roseland, NJ 07068 973 994-1700 973 994-1744 (fax) jcecchi@carellabyrne.com Assigned: 09/17/2020 ATTORNEY TO BE NOTICED</p>	<p>Lori Gwen Feldman George Gesten McDonald PLLC 102 Half Moon Bay Drive Croton on Hudson, NY 10520 917-983-9321 888-421-4173 (fax) lfeldman@4-justice.com Assigned: 09/17/2020 ATTORNEY TO BE NOTICED</p>
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LEAD ATTORNEY ATTORNEY TO BE NOTICED			
<p>Kyle Alan Shamberg Lynch Carpenter LLP 111 W. Washington, STE 1240 Chicago, IL 60602 312-750-1265 kyle@lcllp.com Assigned: 09/17/2020 ATTORNEY TO BE NOTICED</p>	<p>Jonathan M. Jagher Freed Kanner London & Millen 923 Fayette Street Conshohocken, PA 19428 610-234-6487 224-632-4521 (fax) jjagher@fkmlaw.com Assigned: 09/17/2020 PRO HAC VICE ATTORNEY TO BE NOTICED</p>	<p>Erich Paul Schork Roberts Law Firm US, PC PO Box 31909 Chicago, IL 60631 312-810-5824 erichschork@robertslawfirm.us Assigned: 09/17/2020 ATTORNEY TO BE NOTICED</p>	<p>Michael L. Roberts Roberts Law Firm 20 Rahling Circle Little Rock, AR 72223 (501)-821-5575 (501)-821-4474 (fax) aprilburton@robertslawfirm.us Assigned: 03/18/2021 ATTORNEY TO BE NOTICED</p>
<p>Janine Lee Pollack Calcaterra Pollack LLP 1140 Avenue of the Americas 9th Floor New York, NY 10036 212-899-1760 332-206-2073 (fax) jpollack@calcaterrapollack.com Assigned: 09/17/2020 ATTORNEY TO BE NOTICED</p>	<p>Michael Milton Liskow Calcaterra Pollack LLP 1140 Avenue of the Americas Ste 9th Floor New York, NY 10036-5803 212-899-1761 mliskow@calcaterrapollack.com Assigned: 09/17/2020 ATTORNEY TO BE NOTICED</p>	<p>Karen Halbert Roberts Law Firm, P.A. 20 Rahling Circle Little Rock, AR 72223 501-821-5575 (fax) karenhalbert@robertslawfirm.us Assigned: 09/23/2020 LEAD ATTORNEY ATTORNEY TO BE NOTICED</p>	<p>Melissa Robin Emert Stull, Stull & Brody 6 East 45th Street NY, NY 10017 Assigned: 09/17/2020 ATTORNEY TO BE NOTICED abrody@ssbny.com</p>

Via Pro Se Email Portal

Judge Paul A. Engelmayer

United States District Court Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

12-02-2022

In re Morgan Stanley Data Security Litigation Case No. 1:20-cv-05914-PAE

Re: Letter Motion for Clarification and requested argument to insure fundamental fairness to the matter

Dear Judge Engelmayer and the Court:

Melissa Linden, Scriber, respectfully submits this motion for clarification and Brief, in support of, the Plaintiffs, rendering an emergency clarification, in the form of an affidavit, clarifying the Plaintiff statement under penalty of perjury that states the following, "Ms. Linden was a class member for purposes of the Morgan Stanley Data Security Incidents, she was not a party to the litigation as she was not a named plaintiff in any related matter consolidated before this Court."

Memorandum of Law

Specific Facts Relied Upon

This statement above is based in ambiguity thus in need of clarification. In that, scriber asks the court, how can one be a class member in the incident but not able to become a part of the litigation. When applying this statement to the law it simply makes no sense. Highlighting, aren't class actions formed in the first place to be all inclusive. This is why scriber is asking for clarification of plaintiffs' determination, of scriber, and define how she cannot participate in this litigation. From scribers point of view, this determination, doesn't seem consistent with US Law. Therefore, is the reason, scriber, is asking Plaintiff to clarify their statements below:

1. What is the definition of a class member for purposes of Morgan Stanley Data Security Incident,
- 2 what is the definition of, a party which a named plaintiff in any related consulted matter before this court is
- 3 who made this determination alleged classification and choose which parties can be heard.

4 when were class members, for purposes of Morgan Stanley Data Security Incident notified, they could not take part to In re Morgan Stanley Data Security Litigation Case No. 1:20-cv-05914-PAE

5, I want to Notify the court that, all my request to seek remedy of the matter were given to the prospective parties, well before judgment came to be in this matter. All parties failed to act.

Legal Facts Relied Upon

In order to rectify the confusion surrounding the matter of scribers class determination, clarification would be needed and precedence relied form this Court, stated that any non-party that requires clarification regarding the scope of the facts may make an application and "[s]uch clarification will be promptly provided."

As the court can determiner themselves, the plaintiff statements are based in confusion and clearly in need of definition and is why scribe, has asked the court to relive her of this matter, and remedy the situation immediately by granting this motion and ordering a clarification from the Plaintiff pertaining to the above statements.

Highlighting, similarly, the Second Circuit instructed that "when questions arise . . . , district courts will not 'withhold a clarification in the light of a concrete situation' . . . [and] [t]he doors of the district court obviously remain open for such applications." NML Capital Ltd. v. Republic of Argentina, 727 F.3d 230, 243 (2d Cir. 2013) ("NML II").²

Conclusion

Wherefore, scribe asks the court to grant this submission as a remedy and relief to the chaotic matter. In that it would be nearly impossible for scribe to form an argument when facts are simply not clearly defined. Especially when the assertions made by Plaintiff, seemly are with no merit and is why scribe has asked the court to grant her this remedy, by ordering the plaintiff to clarify their ambulant statements, in addition to the cost and expenses associated with this filing and what the court see fair and just

Respectively Submitted,



Melissa Linden

Order

Order for Letter Motion for Clarification and requested argument to insure fundamental fairness to the matter

Is ordered _____

Pursuant to the terms required by Law. The below parties have been served this matter on 12-2-2022.

Respectively



Melissa linden

<p>John A. Yanchunis Morgan & Morgan, P.A. 201 N. Franklin Street 7th Floor Tampa, FL 33602 (813)-275-5272 (813) 222-4736 (fax) jyanchunis@forthepeople.com Assigned: 08/18/2020 LEAD ATTORNEY</p>	<p>Jonathan M. Sedgh Morgan and Morgan 850 3rd Avenue Ste 402 Brooklyn, NY 11232 212-738-6839 jsedgh@forthepeople.com Assigned: 09/30/2021 ATTORNEY TO BE NOTICED</p>	<p>Linda P. Nussbaum Nussbaum Law Group, P.C. 1211 Avenue of the Americas New York, NY 10036 917-438-9102 lnussbaum@nussbaumpc.com Assigned: 11/04/2020 ATTORNEY TO BE NOTICED</p>	<p>Heather H Jones The Consumer Protection Firm Florida 401 E. Jackson Street SunTrust Financial Center Ste 2340 Tampa, FL 33602 813-500-1500 813-435-2369 (fax) heather@theconsumerprotectionfirm.com Assigned: 08/31/2020</p>
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<p>Jane Baek O'Brien Paul, Weiss, Rifkind, Wharton &</p>	<p>Daniel H. Levi Paul Weiss (NY)</p>	<p>Brad Scott Karp Paul Weiss (NY)</p>	<p>Anna St. John Hamilton Lincoln Law Institute</p>

<p>Garrison, LLP (DC) 2001 K Street, N.W. Washington, DC 20006 (202) 223-7300 (202) 223-7420 (fax) jobrien@paulweiss.com Assigned: 09/29/2020 LEAD ATTORNEY ATTORNEY TO BE NOTICED</p>	<p>1285 Avenue of the Americas New York, NY 10019 212-373-3497 212-492-0497 (fax) dlevi@paulweiss.com Assigned: 10/11/2021 ATTORNEY TO BE NOTICED</p>	<p>1285 Avenue of the Americas New York, NY 10019 212-373-2384 212-373-2384 (fax) bkarp@paulweiss.com Assigned: 09/29/2020 LEAD ATTORNEY</p>	<p>1629 K St. NW Suite 300 Washington, DC 20006 917-327-2392 anna.stjohn@hlli.org Assigned: 07/12/2022 LEAD ATTORNEY ATTORNEY TO BE NOTICED</p>
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Via Pro Se Email Portal

Judge Paul A. Engelmayer

United States District Court Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

In re Morgan Stanley Data Security Litigation Case No. 1:20-cv-05914-PAE

Re: Amended Letter Motion for Order to Compel (Original Summited 12-02-2022). Both Plaintiff and Defendants Council Susanna M. Buerger Jane B. O'Brien , the Firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP ,Defendant Morgan Stanley Smith Barney LLC to, Provided Proof thereof, Notice of, Claims Admirations Notice, approximately mailed in June 2020, March 2022, Proof of Melissa Linden Notice of Hearings and Orders, and attached brief in support of this request, a request for oral argument and request for the court to stay its decision on Plaintiff and Defendants responses until all motion involving disclosure and scribes appearance have addressed

12-04-2022 Amended version, Note: First Version date 12-02-2022,

Dear Judge Paul A. Engelmayer,

Scriber, melissa linden, respectfully submits this correspondence to amended earlier version in order to expedite the truth, information, has arisen, after scriber summited 2-2-2022's original version of the above mention filling and is why she is asking the court to participate in rendering the truth, to its public docket, by accepting this submission as the current version. Hense why, scribes, ask the court to grant this letter motion for proof thereof, described in the Specific Facts Relied Upon section, for the following reasons:

Memorandum of Law

Specific Facts Relied Upon

Plaintiffs' Attorney asserted under penalty of perjury "The Court also considered Ms. Linden's motion for joinder (ECF No. 123) and motion for stay (ECF No. 130) and denied both motions. See ECF No. 160 at 5-6; :', Scriber doesn't no agree with this statement and ask for tangible proof thereof in the format described bellow

1. Proof of Morgan Stanley June 2020 Notice, March 2022 Notice be place to the docket by Plaintiff,
2. All Notices of Hearing that were issued in connection with melissa linden appearance, request for filing electronically, dkt123, dkt 130 ect placed to the docket.
3. All Notices of Orders on all issued in connection with melissa linden appearance, request filing electronically, dkt123, dkt 130 place to the docket.
4. Plaintiff Attorney continues to establish Melissa Lindens filings are confusing and hoodwink, these filings as if they are ignorant. This is notice to all parties, I am pro se filler and am happy to provide verbal disclosure to any matters that arises out of my filings. I am a phone call away, so if your confused, i believe a this more constructive form of communication and remedy for your confusion. Complaining to a judge on a public docket seemly is a waste of time and appears to me, a regular person, to be exhibiting snitty behavior for an Attorney.
5. Defendant Attorneys has never communicated to scribe that they were not getting her filing. Scribe data is severely breech; she is a phone call away to sort this communication matter out. Bring this before a judge is seemingly a waste of time and should be consider irreverent.
6. Attorney for Plaintiff response they didn't not want to help me attain my and fathers' information form the defendant that was breeched by the actions of the defendant in this matter. Scribe has a right to her family's information and to be heard in the matter,
7. Order Compelling Susanna M. Buerger Jane B. O'Brien, the Firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, Defendant Morgan Stanley Smith Barney LLC to individually submit an affidavit under penalty of perjury affirm these assertions made before the court by the named parties, "Nor has Paul, Weiss ever been retained at any time by Morgan Stanley to represent it in connection with Ms. Linden's demands for paperwork and files concerning those accounts, or for any issues related to any matters pending in the Connecticut Court of Probate. While there is no dispute that Paul, Weiss represents Morgan Stanley in the Class Action, involving a settlement class of..... at Paul, Weiss; we are not confident that we received every communication Ms. Linden intended to direct to our firm. Case 1:20-cv-05914-PAE Document 199 Filed 12/02/22 Page 3 of 4 4 which Ms. Linden is a member, Ms. Linden's repeated communications to Paul, Weiss do not concern that matter. Paul, Weiss's November 11 email was therefore accurate and appropriate in all respects."

Legal Argument

As plaintiffs' attorney have asserted under penalty of perjury "The Court also considered Ms. Linden's motion for joinder (ECF No. 123) and motion for stay (ECF No. 130) and denied both motions. See ECF No. 160 at 5-6; and the Defendant Attorney's represent under penalty of perjury "Nor has Paul, Weiss ever been retained at any time by Morgan Stanley to represent it in connection with Ms. Linden's demands for paperwork and files

concerning those accounts, or for any issues related to any matters pending in the Connecticut Court of Probate."

The docket reflects the above statements, by the plaintiffs and defendants, to appear as if, these statements above are not the truth and is why Scriber is asking for the court to relive her and remedy this matter. In the action of grant an order to compel the Plaintiff to place tangible proof to the docket of their assertion of, "The Court also considered Ms. Linden's motion for joinder (ECF No. 123) and motion for stay (ECF No. 130) and denied both motions. See ECF No. 160 at 5-6:' and the Defendant to place tangible proof, in the requested affidavits on the public docket. Furthermore, ask the court to consider these requested submissions as evidence, to be use in the decision rendered, surrounding these matters. Much more to the point moves, the court, to stay their decision making, until all disclosure is furnished.

Noting, to the court, the discrepancy discussed above are the reason for this request, an order to compel. Noting scriber, believes this submission meets the Criteria to grant her request. As the court can be provided proof of all individuals assertion on the public record instead of opinion on their hearsay.

Further noting to the court, scribes, believes the courts records evidences both the plaintiffs and defendants' argument and statements, to be bald on their face. In addition to pointing out, to the court, the court itself, doesn't have subject matter jurisdiction to grant or even so much as extend an argument to the plaintiff or defendant, that doesn't exist in when applying the law.

Concluding, the Plaintiff, can't say Melissa Linden filings were consider, when the case records appears,1. she has never been notified of this,2. or even so much as in front of this court. The Defendant, simply, can't restrict scribes access to the information and deceit family members information associated to breeches involving this decommissioning matter and certainly can't restrict access after, a Justice orders record production the breeched information pertaining to this decommissioning matter. Seemingly, these type of arguments and defenses appears unlawful. Which is why the scriber, is asking the court for remedy of this matter, by making plaintiffs and defendant, provide proof of their assertions to the public docket.

Highlighting to the court, most often, the court declines to prosecute or take up matters involving fraud on the Court. Because of past, very public position, on behalf of this court, scriber feels, the court, has to be diligent, in not hearing or participating in actions involving potential fraud on this court. Thus why, scriber prays, the court, remedies this matter, potently, involving fraud on the court, to the apocopate venue, to address these potential issues, in the appropriate manor governed by the law. Scriber's time is as equally valuable as everyone is. Scriber is a, self-employed, widower, with 8-year-old and 16-year-old. .

Wherefore, scribes, asks the court for immediately relief and remedy of the matter by ordering, scribes, **Amended Letter Motion for Order Compel Summited (12-02-2022). Both Plaintiff and(added) Defendants Council Susanna M. Buerger Jane B.**

O'Brien , the Firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP ,Defendant Morgan Stanley Smith Barney LLC to, Provided Proof thereof, Notice of, Claims Admirations Notice, approximately mailed in June 2020, March 2022, Proof of Melissa Linden Notice Hearings and Orders, and attached brief in support of, request for oral argument and request for the court to stay its decision on Plaintiff and Defendants responses until all motion involving disclosure are addressed, in addition to a penalty of 3 times the value of award monies, cost and expenses associated with the filing and what the court sees fair and just ,granted , for display consistence vexatious behavior before the court.

Respectfully Submitted



Melissa Linden

Order For:

Amended Letter Motion for Order Compel Summited (12-02-2022). Both Plaintiff and(added) Defendants Council Susanna M. Buerger Jane B. O'Brien , the Firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP ,Defendant Morgan Stanley Smith Barney LLC to, Provided Proof thereof, Notice of, Claims Admirations Notice, approximately mailed in June 2020, March 2022, Proof of Melissa Linden Notice Hearings and Orders, and attached brief in support of, request for oral argument and request for the court to stay its decision on Plaintiff and Defendants responses until all motion involving disclosure are addressed, in addition to a penalty of 3 times the value of award monies, cost and expenses associated with the filing and what the court sees fair and just ,granted , for display consistence vexatious behavior before the court.

Is so Ordered _____

Entered in support of _____

Pursuant to the terms required by Law. The below parties have been served this matter on 12-4-2022.

Respectively



Melissa linden

<p>John A. Yanchunis Morgan & Morgan, P.A. 201 N. Franklin Street 7th Floor Tampa, FL 33602 (813)-275-5272 (813) 222-4736 (fax) jyanchunis@forthepeople.com Assigned: 08/18/2020 LEAD ATTORNEY</p>	<p>Jonathan M. Sedgh Morgan and Morgan 850 3rd Avenue Ste 402 Brooklyn, NY 11232 212-738-6839 jsedgh@forthepeople.com Assigned: 09/30/2021 ATTORNEY TO BE NOTICED</p>	<p>Linda P. Nussbaum Nussbaum Law Group, P.C. 1211 Avenue of the Americas New York, NY 10036 917-438-9102 lnussbaum@nussbaumpc.com Assigned: 11/04/2020 ATTORNEY TO BE NOTICED</p>	<p>Heather H Jones The Consumer Protection Firm Florida 401 E. Jackson Street SunTrust Financial Center Ste 2340 Tampa, FL 33602 813-500-1500 813-435-2369 (fax) heather@theconsumerprotectionfirm.com Assigned: 08/31/2020</p>
<p>Lestlie Guillon Arnold Law Firm 865 Howe Avenue Sacramento Sacramento, CA 95825 916-239-4787 916-924-1829 (fax) lguillon@justice4you.com Assigned: 08/20/2020</p>	<p>Michael Anderson Berry Arnold Law Firm 865 Howe Avenue Sacramento, CA 95825 916-777-7777 aberry@justice4you.com Assigned: 08/20/2020 LEAD ATTORNEY</p>	<p>James E. Cecchi Carella, Byrne, Cechi, Olstein, Brody & Agnello, P.C. 5 Becker Farm Road Roseland, NJ 07068 973 994-1700 973 994-1744 (fax) jcecchi@carellabyrne.com Assigned: 09/17/2020 ATTORNEY TO BE NOTICED</p>	<p>Lori Gwen Feldman George Gesten McDonald PLLC 102 Half Moon Bay Drive Croton on Hudson, NY 10520 917-983-9321 888-421-4173 (fax) lfeldman@4-justice.com Assigned: 09/17/2020 ATTORNEY TO BE NOTICED</p>
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<p>Kyle Alan Shamberg Lynch Carpenter LLP 111 W. Washington, STE 1240 Chicago, IL 60602 312-750-1265 kyle@lcllp.com Assigned: 09/17/2020 ATTORNEY TO BE NOTICED</p>	<p>Jonathan M. Jagher Freed Kanner London & Millen 923 Fayette Street Conshohocken, PA 19428 610-234-6487 224-632-4521 (fax) jjagher@fkmlaw.com Assigned: 09/17/2020 PRO HAC VICE ATTORNEY TO BE NOTICED</p>	<p>Erich Paul Schork Roberts Law Firm US, PC PO Box 31909 Chicago, IL 60631 312-810-5824 erichschork@robertslawfirm.us Assigned: 09/17/2020 ATTORNEY TO BE NOTICED</p>	<p>Michael L Roberts Roberts Law Firm 20 Rahling Circle Little Rock, AR 72223 (501)-821-5575 (501)-821-4474 (fax) aprilburton@robertslawfirm.us Assigned: 03/18/2021 ATTORNEY TO BE NOTICED</p>
<p>Janine Lee Pollack Calcaterra Pollack LLP 1140 Avenue of the Americas 9th Floor New York, NY 10036 212-899-1760 332-206-2073 (fax) jpollack@calcaterrapollack.com <u>iii</u> Assigned: 09/17/2020 ATTORNEY TO BE NOTICED</p>	<p>Michael Milton Liskow Calcaterra Pollack LLP 1140 Avenue of the Americas Ste 9th Floor New York, NY 10036-5803 212-899-1761 mliskow@calcaterrapollack.com <u>iii</u> Assigned: 09/17/2020 ATTORNEY TO BE NOTICED</p>	<p>Karen Halbert Roberts Law Firm, P.A. 20 Rahling Circle Little Rock, AR 72223 501-821-5575 (fax) karenhalbert@robertslawfirm.us <u>us</u> Assigned: 09/23/2020 LEAD ATTORNEY ATTORNEY TO BE NOTICED</p>	<p>Melissa Robin Emert Stull, Stull & Brody 6 East 45th Street NY, NY 10017 Assigned: 09/17/2020 ATTORNEY TO BE NOTICED abrody@ssbnv.com</p>

Via Pro Se Email Portal

Judge Paul A. Engelmayer

United States District Court Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

12-4-2022

In re Morgan Stanley Data Security Litigation Case No. 1:20-cv-05914-PAE

Re: Letter Motion for the Order of Acknowledgement of Dkt 125, Dkt 126, Dkt 127, pursuant to law, accept Scribes Appearance and issue an additional order Granting Electronic Filing Request

Dear Judge Paul A. Engelmayer and corporation,

Melissa A Linden, scribe, ask the court to grant her requests in this Letter Motion for the Order of Acknowledgement of, Dkt 125, Dkt 126, Dkt 127, pursuant to law and accept, Scribes, Appearance and issue additional order Granting her Electronic Filing Request. As the above request ed action will instant terminate the confusion surrounding the above mention matter.

Much more to the point assures, scribe, the court, is aware of who she is. In addition, scribe, asks the court to review exhibit A, this is a snap shot of the courts public docket, showing the parties that appeared or filed in the above mention matter, currently, Melissa Lindens name appears to be void.

Because Melissa Lindens is a named class member, and submitted filings, her name should be present. As it appears void from being listed as either, a party who made filings or a party who made an appearance in the above mention matter, is why scribe is asking for the above-named relief and remedy,

Highlighting to the court, to the best of scribes knowledge, these are the basic requirements to litigate in southern district. With scribes name being void, the record appears as if she doesn't exist, when applying court process and the law. Thus, why scribe is asking the court to confirm her filings met the courts criteria and require to appear in the above mention matter, and is why scribe is asking for this confirmation, to be remedy in the form of an order. Noting, by rendering the requested order, scribe is under the belief that this will alleviate future appeal issues, that might arise if left un remedy.

As before the court is, scribes, appearance, motion to file electrically and assurance she is capable of filing electronically.

Wherefore, scribes, request the court provide remedy to the ambiguity surrounding scribes appearance and ability to file electorally. Both of these issues and their status

in court, seemingly, are not defined and is why scriber is asking the court to grant this Letter Motion for the Order of Acknowledgement of Dkt 125, Dkt 126, Dkt 127, pursuant to law, accept Scribes Appearance and issue an additional Order Granting Electronic Filing Request, in addition to grant any cost or expenses associated with this filing.

Respectively Submitted



Melissa Linden

Order for

Letter Motion for the Order of Acknowledgement of Dkt 125, Dkt 126, Dkt 127,
pursuant to law, accept Scribes Appearance and issue an additional order Granting
Electronic Filing Request

Is entered on _____

and is so ordered _____

[illegible]

<p>John B. Brown 1910-1911 1912-1913 1914-1915</p>	<p>1910-1911 1912-1913 1914-1915</p>	<p>John B. Brown 1910-1911 1912-1913 1914-1915 1916-1917 1918-1919 1920-1921 1922-1923 1924-1925 1926-1927 1928-1929 1930-1931 1932-1933 1934-1935 1936-1937 1938-1939 1940-1941 1942-1943 1944-1945 1946-1947 1948-1949 1950-1951 1952-1953 1954-1955 1956-1957 1958-1959 1960-1961 1962-1963 1964-1965 1966-1967 1968-1969 1970-1971 1972-1973 1974-1975 1976-1977 1978-1979 1980-1981 1982-1983 1984-1985 1986-1987 1988-1989 1990-1991 1992-1993 1994-1995 1996-1997 1998-1999 2000-2001 2002-2003 2004-2005 2006-2007 2008-2009 2010-2011 2012-2013 2014-2015 2016-2017 2018-2019 2020-2021 2022-2023 2024-2025</p>
<p>John B. Brown 1910-1911 1912-1913 1914-1915</p>	<p>1910-1911 1912-1913 1914-1915</p>	<p>John B. Brown 1910-1911 1912-1913 1914-1915 1916-1917 1918-1919 1920-1921 1922-1923 1924-1925 1926-1927 1928-1929 1930-1931 1932-1933 1934-1935 1936-1937 1938-1939 1940-1941 1942-1943 1944-1945 1946-1947 1948-1949 1950-1951 1952-1953 1954-1955 1956-1957 1958-1959 1960-1961 1962-1963 1964-1965 1966-1967 1968-1969 1970-1971 1972-1973 1974-1975 1976-1977 1978-1979 1980-1981 1982-1983 1984-1985 1986-1987 1988-1989 1990-1991 1992-1993 1994-1995 1996-1997 1998-1999 2000-2001 2002-2003 2004-2005 2006-2007 2008-2009 2010-2011 2012-2013 2014-2015 2016-2017 2018-2019 2020-2021 2022-2023 2024-2025</p>
<p>John B. Brown 1910-1911 1912-1913 1914-1915</p>	<p>1910-1911 1912-1913 1914-1915</p>	<p>John B. Brown 1910-1911 1912-1913 1914-1915 1916-1917 1918-1919 1920-1921 1922-1923 1924-1925 1926-1927 1928-1929 1930-1931 1932-1933 1934-1935 1936-1937 1938-1939 1940-1941 1942-1943 1944-1945 1946-1947 1948-1949 1950-1951 1952-1953 1954-1955 1956-1957 1958-1959 1960-1961 1962-1963 1964-1965 1966-1967 1968-1969 1970-1971 1972-1973 1974-1975 1976-1977 1978-1979 1980-1981 1982-1983 1984-1985 1986-1987 1988-1989 1990-1991 1992-1993 1994-1995 1996-1997 1998-1999 2000-2001 2002-2003 2004-2005 2006-2007 2008-2009 2010-2011 2012-2013 2014-2015 2016-2017 2018-2019 2020-2021 2022-2023 2024-2025</p>

Cheryl Gorman
 Controller of Accounts and all other closely related
 duties
 973-222-2222
 (Phone)

represented by

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 AAL 07/26/2020
 Attached

ATTACHED BY

Michael Andrew Perry
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 16th Floor, New York, NY 10013
 AAL 07/26/2020
 Attached
 ATTACHED BY

Yusef G. Khan
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 16th Floor, New York, NY 10013
 AAL 07/26/2020
 Attached
 ATTACHED BY

Michael H. Jones
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 AAL 07/26/2020
 Attached
 ATTACHED BY

Tom R. Jones
 1610 1st Avenue, 16th Floor, New York, NY 10013
 AAL 07/26/2020
 Attached
 ATTACHED BY

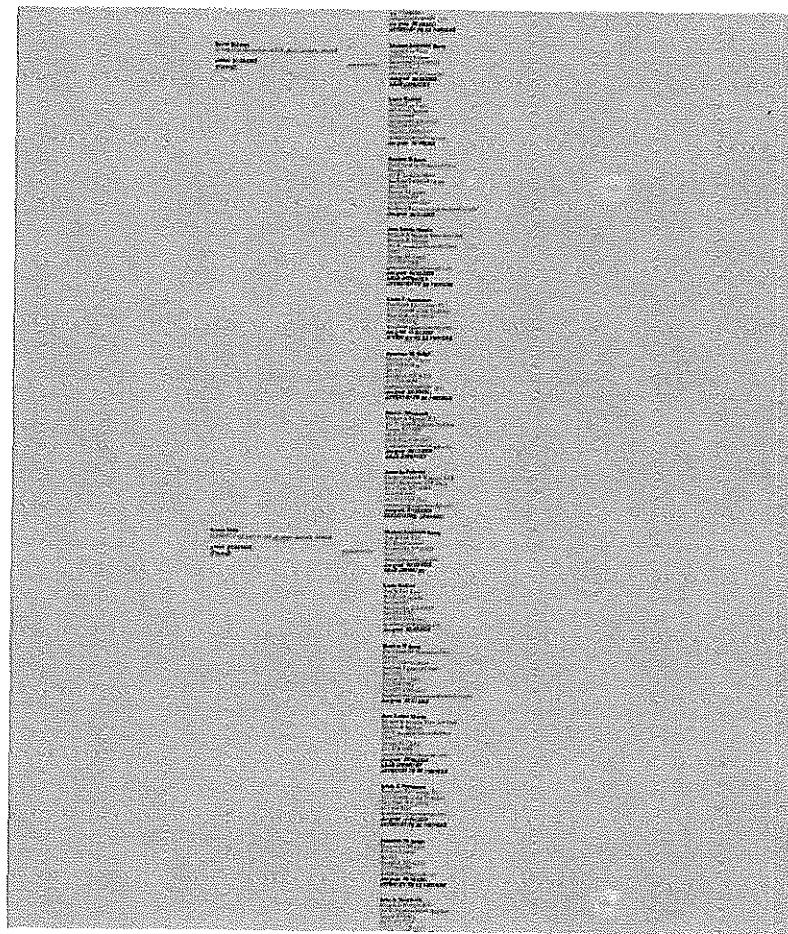
John F. Jones
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 AAL 07/26/2020
 Attached
 ATTACHED BY

Jonathan M. Smith
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 AAL 07/26/2020
 Attached
 ATTACHED BY

John A. Jones
 1610 1st Avenue, 16th Floor, New York, NY 10013
 AAL 07/26/2020
 Attached
 ATTACHED BY

James F. Jones
 1610 1st Avenue, 16th Floor, New York, NY 10013
 AAL 07/26/2020
 Attached
 ATTACHED BY

John C. Nelson on behalf of complainant and all persons similarly situated John 10/1/2021 Knox County, Tenn.	represented by	Paul James Martin Attorney at Law, New York City 100 E. Broadway, Suite 1000 New York, NY 10002 Tel: 212.368.1000 Fax: 212.368.1001 Email: paul.martin@pjmllc.com ATTORNEY TO BE JOINTLY
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Michael T. Nelson on behalf of complainant and all persons similarly situated John 10/1/2021 Knox County, Tenn.	represented by	Paul James Martin Attorney at Law, New York City 100 E. Broadway, Suite 1000 New York, NY 10002 Tel: 212.368.1000 Fax: 212.368.1001 Email: paul.martin@pjmllc.com ATTORNEY TO BE JOINTLY
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Filers

Name	Type	Added	Terminated
MARTIN BEHAK	Consolidated Plaintiff	09/17/2020	
Mark Blythe	Consolidated Plaintiff	09/17/2020	
Amy Dalton	Consolidated Plaintiff	09/17/2020	
Robina Frank	Objector	07/12/2022	
Cheryl Gamen	Plaintiff	07/29/2020	
Richard Gamen	Plaintiff	07/29/2020	
Richard Grossman	Movant	09/09/2020	
Richard Grossman	Consolidated Plaintiff	09/17/2020	
Amresh Jajee	Plaintiff	07/29/2020	
Howard Katz	Consolidated Plaintiff	09/17/2020	
Howard Katz	Movant	09/09/2020	
Lori Mausner	Consolidated Plaintiff	09/17/2020	
Richard Mausner	Consolidated Plaintiff	09/17/2020	
Morgan Stanley Smith Barney LLC	Defendant	07/29/2020	
John C. Nelson	Movant	09/09/2020	
John C. Nelson	Consolidated Plaintiff	09/17/2020	
Midori T. Nelson	Movant	09/09/2020	
Midori T. Nelson	Consolidated Plaintiff	09/17/2020	
Desiree Shapoun	Consolidated Plaintiff	09/17/2020	
Timothy M. Smith	Consolidated Plaintiff	09/17/2020	
Sylvia Tillman	Plaintiff	07/29/2020	
Vivian Yata	Plaintiff	07/29/2020	

PACER Service Center			
Transaction Receipt			
12-04-2022 12:47:59			
PACER Login:	stmem0226	Client Code:	
Description:	Filer List	Search Criteria:	1:20-cv-05914-PAE
Billable Pages:	1	Cost:	\$0.10

Pursuant to the terms required by Law. The below parties have been served this matter on 12-04-2022.

Respectively



Melissa linden

John A. Yanchunis Morgan & Morgan, P.A. 201 N. Franklin Street 7th Floor Tampa, FL 33602 (813)-275-5272 (813) 222-4736 (fax) jyanchunis@forthepeople.com	Jonathan M. Sedgh Morgan and Morgan 850 3rd Avenue Ste 402 Brooklyn, NY 11232 212-738-6839 jsedgh@forthepeople.com	Linda P. Nussbaum Nussbaum Law Group, P.C. 1211 Avenue of the Americas New York, NY 10036 917-438-9102 lnussbaum@nussbaumpc.com	Heather H Jones The Consumer Protection Firm Florida 401 E. Jackson Street SunTrust Financial Center Ste 2340 Tampa, FL 33602
--	--	--	---

Assigned: 08/18/2020 LEAD ATTORNEY	Assigned: 09/30/2021 ATTORNEY TO BE NOTICED	Assigned: 11/04/2020 ATTORNEY TO BE NOTICED	813-500-1500 813-435-2369 (fax) heather@theconsumerprotectionfirm.com Assigned: 08/31/2020
Leslie Guillon Arnold Law Firm 865 Howe Avenue Sacramento Sacramento, CA 95825 916-239-4787 916-924-1829 (fax) lguillon@justice4you.com Assigned: 08/20/2020	Michael Anderson Berry Arnold Law Firm 865 Howe Avenue Sacramento, CA 95825 916-777-7777 aberry@justice4you.com Assigned: 08/20/2020 LEAD ATTORNEY	James E. Cecchi Carella, Byrne, Cechi, Olstein, Brody & Agnello, P.C. 5 Becker Farm Road Roseland, NJ 07068 973 994-1700 973 994-1744 (fax) jcecchi@carellabyrne.com Assigned: 09/17/2020 ATTORNEY TO BE NOTICED	Lori Gwen Feldman George Gesten McDonald PLLC 102 Half Moon Bay Drive Croton on Hudson, NY 10520 917-983-9321 888-421-4173 (fax) lfeldman@4-justice.com Assigned: 09/17/2020 ATTORNEY TO BE NOTICED
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Kyle Alan Shamberg Lynch Carpenter LLP 111 W. Washington, STE 1240 Chicago, IL 60602 312-750-1265 kyle@lclfp.com Assigned: 09/17/2020 ATTORNEY TO BE NOTICED	Jonathan M. Jagher Freed Kanner London & Millen 923 Fayette Street Conshohocken, PA 19428 610-234-6487 224-632-4521 (fax) jjagher@fkmlaw.com Assigned: 09/17/2020 PRO HAC VICE ATTORNEY TO BE NOTICED	Erich Paul Schork Roberts Law Firm US, PC PO Box 31909 Chicago, IL 60631 312-810-5824 erichschork@robertslawfirm.us Assigned: 09/17/2020 ATTORNEY TO BE NOTICED	Michael L Roberts Roberts Law Firm 20 Rahling Circle Little Rock, AR 72223 (501)-821-5575 (501)-821-4474 (fax) aprilburton@robertslawfirm.us Assigned: 03/18/2021 ATTORNEY TO BE NOTICED
Janine Lee Pollack Calcaterra Pollack LLP 1140 Avenue of the Americas 9th Floor New York, NY 10036 212-899-1760 332-206-2073 (fax) jpollack@calcaterrapollack.com Assigned: 09/17/2020 ATTORNEY TO BE NOTICED	Michael Milton Liskow Calcaterra Pollack LLP 1140 Avenue of the Americas Ste 9th Floor New York, NY 10036-5803 212-899-1761 mliskow@calcaterrapollack.com Assigned: 09/17/2020 ATTORNEY TO BE NOTICED	Karen Halbert Roberts Law Firm, P.A. 20 Rahling Circle Little Rock, AR 72223 501-821-5575 (fax) karenhalbert@robertslawfirm.us Assigned: 09/23/2020 LEAD ATTORNEY ATTORNEY TO BE NOTICED	Melissa Robin Emert Stull, Stull & Brody 6 East 45th Street NY, NY 10017 Assigned: 09/17/2020 ATTORNEY TO BE NOTICED abrody@ssbny.com

Via Pro Se Email Portal

Judge Paul A. Engelmayer

United States District Court Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

12-02-2022

In re Morgan Stanley Data Security Litigation Case No. 1:20-cv-05914-PAE

Re: Amended Letter Motion for Clarification, Stay of Judgement of Plaintiff and Defendants Response until parties Disclose, and requested argument to ensure fundamental fairness to the matter

Dear Judge Engelmayer and the Court:

Melissa Linden, Scriber, respectfully submits this motion for clarification and Brief, in support of, the Plaintiffs, rendering an emergency clarification, Defendants Attorney in the form of an affidavit, clarifying the Plaintiff statement under penalty of perjury that states the following, "Ms. Linden was a class member for purposes of the Morgan Stanley Data Security Incidents, she was not a party to the litigation as she was not a named plaintiff in any related matter consolidated before this Court." and support a Stay of judgement of Plaintiff and Defendants Response until parties Disclose for the following reason:

Memorandum of Law

Specific Facts Relied Upon

This statement above made by the plaintiff and defendant clearly seem to be based in ambiguity thus in need of clarification. In that, scriber asks the court, how can one be a class member in the incident but not able to become a part of the litigation. Scriber also asks court how it could consider defendants determinations, when scribes families information is clearly breeched within the confines of this suit. As my understanding, when applying the law to these actions it simply makes no sense. Highlighting, aren't class actions formed in the first place to be all inclusive. This is why scriber is asking for clarification of plaintiffs' and defendants' determination, of scriber, and define how she cannot participate in this litigation. From scribes point of view, this determination, doesn't seem consistent with US Law. Therefore, is the reason, scriber, is asking Plaintiff and Defendant to clarify their statements below:

Below is what scriber is asking Plaintiff Clarify:

1. What is the definition of a class member for purposes of Morgan Stenly Data Security Incident,

2 what is the definition of, a party which a named plaintiff in any related consulted matter before this court is

3 who made this determination alleged classification and choose which parties can be heard.

4 when were class members, for purposes of Morgan Stanley Data Security Incident notified, they could not take part to In re Morgan Stanley Data Security Litigation Case No. 1:20-cv-05914-PAE

5, I want to Notify the court that, all my request to seek remedy of the matter were given to the prospective parties, well before judgment came to be in this matter. All parties failed to act.

Below is what scribe is asking Defendant to clarify:

6. In this comment "1 These communications, which are attached as Exhibit 1 to the accompanying declaration of Susanna Buerger dated December 2, 2022, were directed to several lawyers Case 1:20-cv-05914-PAE Document 199 Filed 12/02/22 Page 2 of 4 3 entities not involved in the Class Action, including Charles Schwab) provide her with documentation and other information related to her deceased father's former accounts." Scribe is asking for clarity if, who the Defendant has given access to her deceased father's accounts. Advising the court, my dad, was affore intelligence, had firm understanding of how data breeches can ruin your life. Making it very clear to the court, my dad, would not be cool with how his legacy is being handle at the moment.

7. Scribe asks, Defendant to, 1. Name what entities not involved in the class action or matter did scribe direct Justices Peoples publicly dockets order, that defendant was a party to and please provide proof to the public docket. Advising the court, Charles Schwab, happens to be co- named in the decree by the court and also advising the court, defendant, failed to execute on the order. Also advising both of these companies are tied to identity theft matters involving my family. Making it clear to the court, Morgan Stanley failed to execute, Richard F Lindens, examiners request.

8. Has the law firm of Paul, Weiss, Rifkind, Wharton & Garrison, LLP. Or Paul Weiss (NY), or any attorney in this matter, representing Paul, Weiss, Rifkind, Wharton & Garrison, LLP. Or Paul Weiss (NY), have represented Charels Schwab and co, in US courts or worked on any of their legal matters representing Charels Schwab and Co.

Legal Facts Relied Upon

In order to rectify the confusion surrounding the matter of scribes class determination, clarification would be needed and precedence relied form this Court, stated that any non-party that requires clarification regarding the scope of the facts may make an application and "[s]uch clarification will be promptly provided."

As the court can determiner themselves, the plaintiff statements are based in confusion and clearly in need of definition and is why scribe, has asked the court to relive her of


this matter, and remedy the situation immediately by granting this motion and ordering a clarification from the Plaintiff pertaining to the above statements.

Highlighting, similarly, the Second Circuit instructed that “when questions arise . . . , district courts will not ‘withhold a clarification in the light of a concrete situation’ . . . [and] [t]he doors of the district court obviously remain open for such applications.” NML Capital Ltd. v. Republic of Argentina, 727 F.3d 230, 243 (2d Cir. 2013) (“NML II”).²

Conclusion

Wherefore, scribe asks the court to grant this submission as a remedy and relief to the chaotic matter. In that it would be nearly impossible for scribe to form an argument when facts are simply not clearly defined. Especially when the assertions made by Plaintiff and Defendant, seemingly are, represented with no merit and, is why scribe have asked the court to grant her this remedy, by ordering the plaintiff and defendant to clarify their ambulant statements, as well as grant a Stay of judgment, of Plaintiff and Defendants Response until parties Disclose, in addition to the cost and expenses associated with this filing and what the court see fair and just.

Respectively Submitted,



Melissa Linden

Order

Order for

Amended Letter Motion for Clarification and requested argument to insure fundamental fairness to the matter

Is Entered _____

Is ordered _____

Pursuant to the terms required by Law. The below parties have been served this matter on 12-4-2022.

Respectively



Melissa Linden

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